

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

USA,
Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO,
and the POLICE DEPARTMENT, et als.
Defendants.

Civil No. 12-2039 (GAG)

Re: Complaint

**COMMUNITY INTERACTION COUNCIL MOTION
REQUESTING ENFORCEMENT OF CONDITIONAL JUDGMENT SUBJECT TO
COMPLIANCE WITH THE AGREEMENT FOR THE SUSTAINABLE REFORM
OF THE PUERTO RICO POLICE DEPARTMENT (DE 60-61)
(Caguas Police Region)**

TO THE HONORABLE COURT:

COMES NOW the Community Interaction Council, Caguas Region (hereinafter “CIC”), through the undersigned counsel, and hereby STATES and PRAYS:

1. The Court entered a Conditional Judgment approving the terms of the Settlement Agreement between the US DOJ and the PRPD on July 17, 2013 (DE 60-61) (hereinafter “the Agreement”).
2. At least six (6) months have elapsed since the Community Interaction Council, Caguas Police Region, was duly appointed. There are at least eight (8) active community members, from different backgrounds, who are eager and willing to assist the Puerto Rico Police Department (herein after “PRPD”) in implementing the Police Reform. The following are the concerns from these citizens who are cross representative community members within the Municipalities of Caguas, Cidra, San Lorenzo, Aguas Buenas, and Juncos, are brought to the Court.

Civil No. 12-2039 (GAG)

Page 2 of 6

A Settlement Agreement has not been released in an official Spanish version

3. The Agreement states CIC members shall have sufficient resources and authority and possess the “means, staffing, access, training, and mandate necessary to fulfill their mission and requirements of this Agreement.” (DE 60 ¶211).
4. CIC members are citizens whose main language is Spanish. CIC meetings are held in Spanish. Meeting Minutes have to be drafted and filed in Spanish. The Agreement is an extensive court document, over 100 pages long; in English. It includes legal terms and vocabulary on police and law enforcement issues. The fact that “official” version this court document is only available in English makes it difficult for a lay individual to understand. Not all CIC members have legal proficiency, a law enforcement professional experience, nor a criminal justice background.
5. As of today, neither the DOJ nor the PRPD have released nor published said Agreement in a Spanish. The Agreement calls for publication “in a manner that is accessible to the public, including, without limitation, on their respective agency official websites”. It has been almost a year since the Court entered judgment on the matter. (DE 60 ¶280.) We have been advised that neither the DOJ nor the PRPD have agreed on releasing a final draft. To our knowledge, this has been the situation, at the least, for the last seven (7) months.

Civil No. 12-2039 (GAG)

Page 3 of 6

6. Although it is acknowledged that documents related to the Reform have been provided, yet the CIC unanimous position is that without an official Spanish version of this Court document it will not be able to work effectively. The CIC has to develop mechanisms to assess the PRPD in matters related, but not limited to:
 - a. Enforcing priorities,
 - b. Establishing policing strategies,
 - c. Reviewing and assessing policies on discrimination,
 - d. Search and seizure nor use of force,
 - e. Serving complaining civilians,
 - f. Servicing crime victims and benefit the community as a whole.
7. Therefore, the Agreement in Spanish is the CIC's main working tool. In addition, the PRPD has Community Outreach and Policy Information Programs requirements and a Spanish version to be available to the public is vital. (DE 60 ¶214-217.)
8. Accordingly, it is requested to order the PRPD and the DOJ to release a final version of the Settlement Agreement in Spanish within the next thirty (30) days.

A TCA has not been Appointed Yet

9. The CIC is concerned that there is still no duly appointed Technical Compliance Advisor (hereinafter "TCA"), although we became aware, through public media, there was a Court extension for the parties until June 15, 2014 to address the issue. (DE 115). Since there is no TCA in

Civil No. 12-2039 (GAG)

Page 4 of 6

place to analyze, nor to provide data, nor information, the CIC cannot function properly nor comply with the Court either. This brings insecurity and low morale to the Police Department staff, while the People of Puerto Rico are the victims from a high crime rate and the social issues involved. At the end, the public interest cannot be served. The CIC requests to be informed on the status of the TCA appointment.

No Operating Budget Information

10. No information is available on the operating budget allocation has been discussed with to the CIC Caguas Region (DE 60 ¶211) neither for Fiscal Year 2013-2014, nor Fiscal Years 2014-2015. The CIC requests to revisit the operating budget as the Agreement calls.¶

Prayer for Relief

11. The CIC stresses its respect, admiration, and appreciation of the PRPD workforce and wants to assist in accomplishing a Sustainable Police Reform.
12. The CIC requests the Court to GRANT this Motion and the following remedies:
 - a. Order the parties to release the final and official Settlement Agreement version, in Spanish, within the next thirty (30) days. Said Agreement to be published in a Spanish version, using plain Spanish in order to be easily understood by the local community in Puerto Rico.

Civil No. 12-2039 (GAG)

Page 5 of 6

- b. Order said translation in Spanish to be certified by a federal court interpreter.
- c. Order said certified Spanish version of the Agreement to be published at the PRPD and DOJ official websites within the next thirty (30) days.
- d. Order the PRPD to inform the CIC of the status of the TCA appointment within the next five (5) calendar days.
- e. Order the PRPD to provide the CIC with budget allocation information resources, not only for the current fiscal year, but for the incoming Fiscal year 2014-2015.
- f. Grant any other remedy deemed applicable.

WHEREFORE, it is requested to The CIC requests the Court to GRANT this Motion and GRANT the following remedies:

- a. Order the DOJ and the PRPD to release the final and official Settlement Agreement version, in Spanish, within the next thirty (30) days.
- b. Said Agreement to be published in a Spanish version, to be understood, easily, by the local community in Puerto Rico.
- c. Order said Spanish translation to certified by a federal court interpreter.
- d. Order said Spanish version of the Agreement to be published at the PRPD and DOJ official websites within the next thirty (30) days.

Civil No. 12-2039 (GAG)

Page 6 of 6

- e. Order the PRPD to inform the CIC of the status of the TCA appointment within the next five (5) calendar days.
- f. Order the PRPD to provide the CIC with budget allocation information resources, not only for the current fiscal year, but for the incoming Fiscal year 2014-2015.
- g. Grant any other remedy deemed applicable.

RESPECTFULLY SUBMITTED.

In Caguas, Puerto Rico, on May 26, 2014.

I HEREBY CERTIFY: That on this same date this document has been electronically filed with the Clerk of the Court, using the CM/ECF System which will forwarded to all its registered users.

LAW OFFICES OF EVELYN AIMÉE DE JESÚS

PO Box 88

Caguas, PR 00726-0088

Telephone (787) 593-3055

Facsimile (787) 653-5118

Email evelynaimee@me.com

By s/ **EVELYN AIMÉE DE JESÚS**
USDC PR 218401